

86th Legislative Session – 2011

Committee: House Judiciary

Wednesday, January 26, 2011

P - Present
E - Excused
A - Absent

Roll Call

P Abdallah
P Boomgarden
P Feinstein
P Gibson
P Hansen (Jon)
P Killer
P Kopp
P Nelson (Stace)
P Russell
P Tornow
P Turbiville
P Gosch, Vice-Chair
P Hunt, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Chair Hunt.

MOTION: TO APPROVE THE MINUTES OF JANUARY 24, 2011

Moved by: Turbiville
Second by: Gosch
Action: Prevailed by voice vote.

HB 1039: permit a written promise to appear for violators of overweight vehicle provisions.

Presented by: Greg Sattizahn, Unified Judicial System

MOTION: DEFER HB 1039 TO THE 41ST LEGISLATIVE DAY

Moved by: Abdallah
Second by: Turbiville
Action: Prevailed by roll call vote. (13-0-0-0)

Voting Yes: Abdallah, Boomgarden, Feinstein, Gibson, Hansen (Jon), Killer, Kopp, Nelson (Stace), Russell, Tornow, Turbiville, Gosch, Hunt

HB 1040: provide jurisdiction for clerk magistrates to accept certain penalties.

Presented by: Greg Sattizahn, Unified Judicial System

MOTION: AMEND HB 1040

1040ra

On page 2, line 5, of the printed bill, after "penalty" insert ", if the penalty is paid in full at the time of the acceptance of the plea".

Moved by: Turbiville
Second by: Gibson
Action: Prevailed by voice vote.

MOTION: DO PASS HB 1040 AS AMENDED

Moved by: Tornow
Second by: Hansen (Jon)
Action: Prevailed by roll call vote. (13-0-0-0)

Voting Yes: Abdallah, Boomgarden, Feinstein, Gibson, Hansen (Jon), Killer, Kopp, Nelson (Stace), Russell, Tornow, Turbiville, Gosch, Hunt

MOTION: PLACE HB 1040 ON CONSENT CALENDAR

Moved by: Turbiville
Second by: Gosch
Action: Failed by voice vote.

HB 1062: adopt the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act.

THE CHAIR DEFERRED HB 1062 UNTIL FEBRUARY 2, 2011

HB 1066: provide a penalty for violations of custody or visitation decrees.

Presented by: Representative Patricia Stricherz

MOTION: DEFER HB 1066 TO THE 41ST LEGISLATIVE DAY

Moved by: Gosch

Second by: Gibson

Action: Prevailed by roll call vote. (13-0-0-0)

Voting Yes: Abdallah, Boomgarden, Feinstein, Gibson, Hansen (Jon), Killer, Kopp, Nelson (Stace), Russell, Tornow, Turbiville, Gosch, Hunt

HB 1067: revise the lookback period for the enhancement of penalties for multiple assaults and violations of protection orders.

Presented by: Representative David Novstrup

Proponents: Dianna Miller, SD Network Against Family Violence & Sexual Assault
Lynn Valenti, Dept. of Social Services

MOTION: DO PASS HB 1067

Moved by: Abdallah

Second by: Feinstein

Action: Prevailed by roll call vote. (11-1-1-0)

Voting Yes: Abdallah, Boomgarden, Feinstein, Gibson, Hansen (Jon), Kopp, Nelson (Stace), Russell, Turbiville, Gosch, Hunt

Voting No: Tornow

Excused: Killer

HB 1069: define electronic communication devices for certain crimes involving threatening or harassing calls.

Presented by: Representative Tona Rozum

Proponents: Chuck Schroyer, SD States Attorneys Association

MOTION: DEFER HB 1069 TO THE 41ST LEGISLATIVE DAY

Moved by: Hansen (Jon)
Second by: Tornow
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION DO PASS HB 1069

Moved by: Abdallah
Second by: Feinstein
Action: Prevailed by roll call vote. (9-4-0-0)

Voting Yes: Abdallah, Boomgarden, Feinstein, Gibson, Killer, Nelson (Stace), Russell, Turbiville, Hunt

Voting No: Hansen (Jon), Kopp, Tornow, Gosch

MOTION: ADJOURN

Moved by: Gibson
Second by: Gosch
Action: Prevailed by voice vote.

Cindy Tryon
Committee Secretary

Roger W. Hunt, Chair